

GENERAL ORDINANCE NO. G-_____

AN ORDINANCE amending the Thoroughfare
Plan of the City Comprehensive ("Master")
Plan by vacating a street thereof.

WHEREAS, a petition to vacate a public street within
the City of Fort Wayne (as more specifically described
below) was duly filed with the City Planning Commission; and

WHEREAS, said Commission duly held a public hearing
thereon; and

WHEREAS, said Commission has duly forwarded its
recommendation to this body approving said petition, all in
accordance with I.C. 36-7-4-512(2) and this body having held
a public hearing on said vacation as provided in I.C. 36-7-
4-12; and

WHEREAS, this body concurs in the recommendation of the
City Planning Commission.

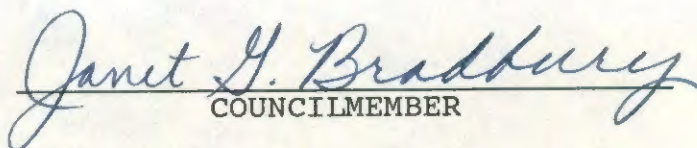
NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate a
public street within the City of Fort Wayne, more
specifically described as follows, to-wit:

South Park Drive (formerly John Street) south of
East Hawthorne Street, a land area 50 feet wide by
200 feet long in Philley's Homestead Addition
between Lot #20 and Lot #21 of Philley's Homestead
Addition.

and which vacating amends the Thoroughfare Plan of the City
Comprehensive ("Master") Plan and is hereby approved in all
respects.

SECTION 2. That this Ordinance shall be in full force
and effect from and after its passage, any and all necessary
approval by the Mayor.


COUNCILMEMBER

#403

APPROVED AS TO FORM AND LEGALITY:

1 J. Timothy McCaulay
2 J. TIMOTHY McCAULAY, CITY ATTORNEY

3 ** Public hearing to be held on _____,
4 the _____ day of _____, 1989,
5 in the Council Chambers.

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7 Sandra E. Kennedy, City Clerk
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Read the first time in full and on motion by Bradbury, seconded by GiaQuinta, and duly adopted, read the second time by title and referred to the Committee on Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 9-12-89

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by _____, seconded by _____, and duly adopted, placed on its passage.
PASSED _____ LOST by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____
<u>BRADBURY</u>	_____	_____	_____	_____
<u>BURNS</u>	_____	_____	_____	_____
<u>EDMONDS</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	_____	_____	_____	_____
<u>HENRY</u>	_____	_____	_____	_____
<u>LONG</u>	_____	_____	_____	_____
<u>REDD</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____

DATED: _____

SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. _____ on the _____ day of _____, 19____

ATTEST:

(SEAL)

SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

PAUL HELMKE, MAYOR

RECEIPT

No 7244

COMMUNITY DEVELOPMENT & PLANNING

FT. WAYNE, IND., 8-15 1989

RECEIVED FROM Richard Fournier + Jerry Danks \$ 100.00

THE SUM OF one hundred + 00/100 DOLLARS

ON ACCOUNT OF John St.
Street Vacation

31894, 710

PAID BY: CASH ☐ CHECK ☒ M.O. ☐

[Signature]
AUTHORIZED SIGNATURE

Date Filed: August 15, 1989

Vacation Petition

I/We Richard L. Powers and Jerry Starks Sr.
(Applicant's Name or Names)

PETITION TO VACATE Paper Street John or South Park s. of Hawthorne
(Street, Alley, Utility Easement, Plat,

Other)

TO: THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

The undersigned petitioner(s), do (does) hereby respectfully petition the Fort Wayne City Plan Commission to vacate the following Paper Street with the City of Fort Wayne, Indiana, and hereby described as follows:

John or South Park South of East Hawthorne Street, a land area
50 feet wide by 200 feet long in Philleys Homestead Addition
between lot #20 and lot #21 of Philleys Homestead Addition.

(Legal Description of property being vacated) If additional space is needed use reverse side.)

In support thereof, your petitioner(s) would represent as follows:

(List reasons for requesting vacation.)

(1.) We are the only owners of real estate bordering both sides of
the street. (2.) The street is not necessary as ingress or egress
to other properties whatsoever. (3.) That said street is unopened
and unimproved. (4.) The maintenance of said street is not neces-
sary or advantageous to the growth of the city of Fort Wayne, and
(If additional space is needed use reverse side.)

(see
back)

Your petitioner(s) file this petition pursuant to the authority granted in Indiana Code, and provisions of local ordinance, in order to complete the vacation as described.

WHEREFORE, your petitioner(s) pray that the above described Paper street be vacated according to the provisions of the Indiana Law pertaining thereto.

DATED THIS 15th DAY OF August 1989

Richard L. Powers
Adjacent Property Owner
Typed Name

834 Hawthorne Street 46806
Address Zip

Richard L Powers
Signature

Jerry Starks Sr.
Adjacent Property Owner
Typed Name

906 Hawthorne Street 46806
Address Zip

Jerry Starks
Signature

Legal Description of Property:

Additional Reasons for Vacation Request:

that it would be to the best interest of the City and the
citizens thereof.

Owners of Adjacent Property:

_____	_____	_____
_____	_____	_____
_____	_____	_____

Adjacent	Property	Address/Zip
Owners TYPED	Name	

Signature

NOTICE:

FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE
PERMISSION TO POST "OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC
HEARING FROM BEING HELD.

This form is to be filed in duplicate.

AGENT:

HANNA STITH
Name

5620 GAYWOOD DR 46806
Street Address

FORT WAYNE IND
City/State/Zip

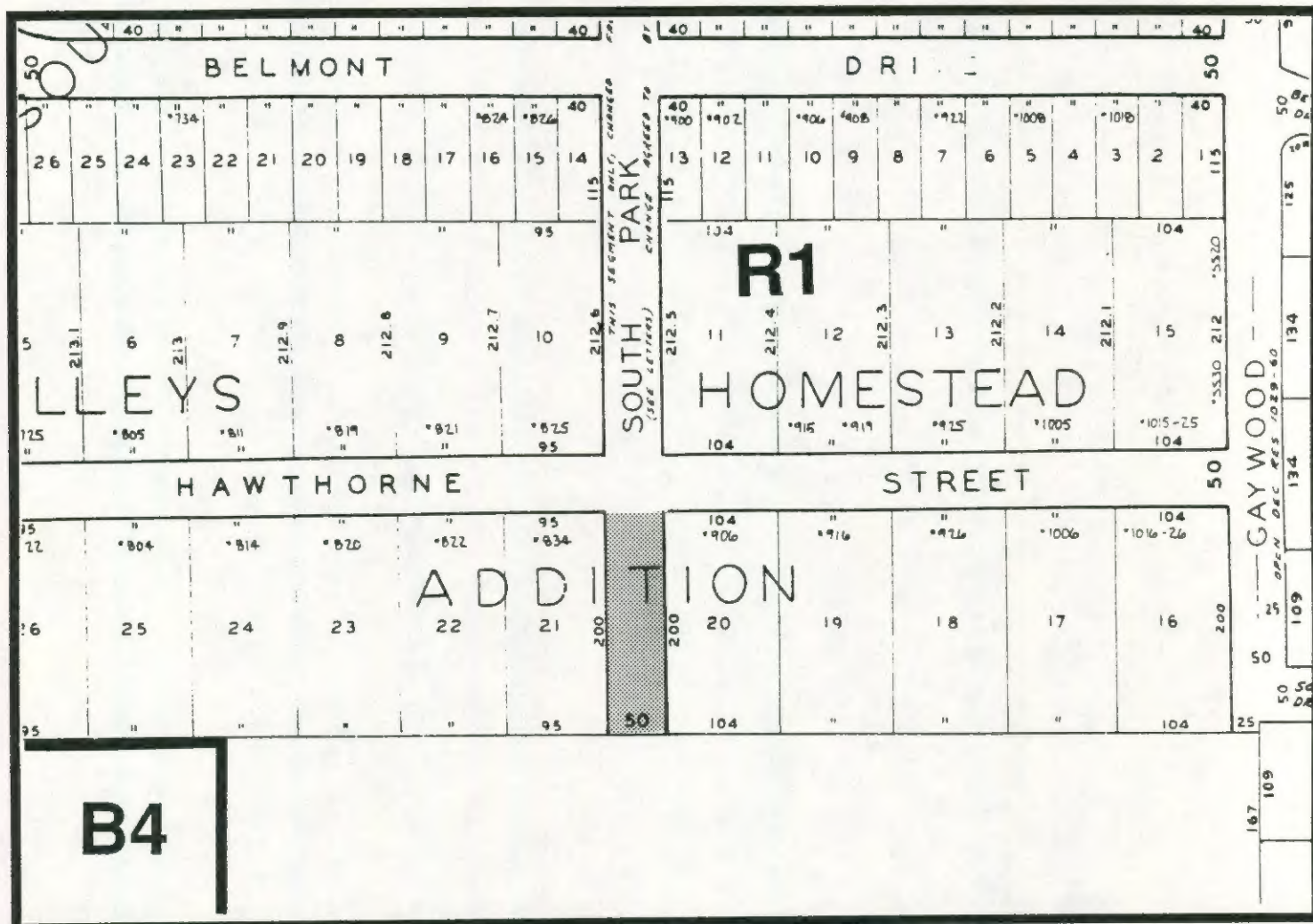
744-9351
Phone

VACATION PETITION #403

A PETITION TO VACATE THE DESCRIBED PORTIONS OF PUBLIC STREETS.

MAP NO. N-19

COUNCILMANIC DISTRICT NO. 6



ZONING:

R1 RESIDENTIAL DISTRICT

B4 ROADSIDE BUSINESS

LAND USE:



SINGLE FAMILY



COMMERCIAL

SCALE: 1"=175'

DATE: 8-25-89

#403

ORIGINAL

ORIGINAL

DIGEST SHEET

TITLE OF ORDINANCE Street Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE Portion of South Park Drive (formerly John Street)

South of East Hawthorne Street.

D-89-09-06

EFFECT OF PASSAGE Property is presently dedicated right of way.

Property will be vacated and revert to the adjacent property owners.

EFFECT OF NON-PASSAGE Property will remain dedicated right of way.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.)) _____

BILL NO. G-89-09-06

Table

Nov 7 12:14
Comp Staff

REPORT OF THE COMMITTEE ON REGULATIONS

Committee of the Whole

JANET G. BRADBURY, CHAIRPERSON
DAVID C. LONG, VICE CHAIRMAN
EDMONDS, SCHMIDT, TALARICO

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
ordinance
REFERRED AN (~~ORDINANCE~~) (~~RESOLUTION~~) amending the Thoroughfare
Plan of the City Comprehensive ("Master") Plan by vacating a
street thereof

HAVE HAD SAID (~~ORDINANCE~~) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(~~ORDINANCE~~) (~~RESOLUTION~~)

<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>	<u>NO REC</u>
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DATED: *In favor Hannah Smith*

Sandra E. Kennedy
City Clerk



The City of Fort Wayne

October 11, 1989

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of
October 14, 1989, in both the News Sentinel and Journal
Gazette.

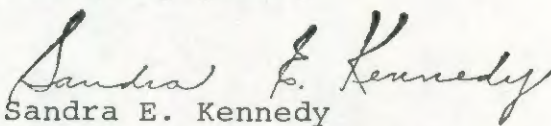
RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. G-89-09-06
Street Vacation

Please send us 4 copies of the Publisher's Affidavit from
both newspapers.

Thank you.

Sincerely yours,


Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1



The City of Fort Wayne

October 10, 1989

Hanna Stith
5620 Gaywood Drive
Fort Wayne, IN 46806

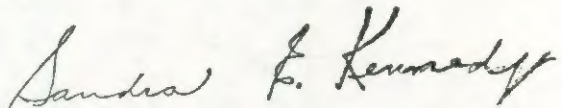
Dear Ms. Stith:

NOTICE OF PUBLIC HEARING ON BILL NO. G-89-09-06

You are hereby notified that the Common Council of Fort Wayne will conduct a public hearing on Tuesday, October 24, 1989, at 7:00 P.M. (EST) in the Common Council Conference Room 128, One Main Street, Fort Wayne, Indiana on the following:

Portion of South Park Drive South
of Hawthornè Street -- Street is
unimproved and being maintained by
the adjacent property owners

All interested persons are invited to appear and be heard.
Any written material may be submitted to the Common
Council prior to the hearing.


Sandra E. Kennedy
City Clerk

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-89-09-06)

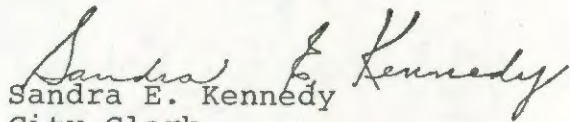
Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, October 24, 1989, at 7:00 P.M. (EST) in Common Council Conference Room 128, City-County Building, One Main Street, Fort Wayne, IN more particularly described as follows:

Portion of South Park Drive - South of Hawthorne Street -- Street is unimproved and being maintained by the adjacent property owners.

South Park Drive (formerly John Street) south of East Hawthorne Street, a land area 50 feet wide by 200 feet long in Philley's Homestead Addition between Lot #20 and Lot #21 of Philley's Homestead Addition

All interested parties are invited to appear and be heard.

FORT WAYNE COMMON COUNCIL


Sandra E. Kennedy
City Clerk

Fort Wayne Common Council

(Governmental Unit)

Allen County, Indiana

To:

The Journal-Gazette

P.O. Box 100

Fort Wayne, IN

Dr.

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

3

Body -- number of lines

15

Tail -- number of lines

4

Total number of lines in notice

22

COMPUTATION OF CHARGES

22 lines, 1 columns wide equals 22 equivalent lines
at .33 cents per line

\$ 7.26

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

2.00

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 9.26

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 1

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: October 14, 19 89

Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time, the dates of publication being as follows:

10/14/89

Subscribed and sworn to before me this 14th day of October, 19 89

Notary Public

Anne M. Perkins

My commission expires: Nov. 29, 1989

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Sandra E. Kennedy
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